

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

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Nos. 03-4220, 03-4221, 03-4275, 03-4294, 03-4316, 03-4319, 03-4504, 03-4732,  
03-4837, 03-4838, 03-4862, 04-1002, and 04-1039

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IN RE: COMMUNITY BANK OF NORTHERN VIRGINIA AND GUARANTY  
NATIONAL BANK OF TALLAHASSEE SECOND MORTGAGE LOAN  
LITIGATION

Stephanie Spann; Leonila T. Nini; Eufronio Nini; John Hardt;  
Robbin Verbeck; Stephanie Hafford; Charles B. Poindexter;  
Maureen F. Poindexter; David B. Walker; Shundra R. Walker;  
Jessie Dodd; James Beckius; Linda Whitehead; Lynell B. Wingfield;  
Jario Ivan Sarrie; Beatriz Sarrie; Michelle K. Morgan; Sharon Finnerty;  
Donald Appleton; Jeanette Appleton; Edelman, Combs & Latturner, LLC;  
Appellants in No. 03-4220

Walters, Bender, Strohbehn & Vaughan, P.C.,  
Appellant in No. 03-4221

Scott C. Borison,  
Appellant in No. 03-4294

Badeaux Class Member Opt-Outs,  
Appellants in Nos. 03-4316 and 03-4838

Alabama Class Member Opt-Outs,  
Appellants in No. 03-4319

Dickey, McCamey & Chilcote, P.C., David J. Armstrong, Esq., Douglas C. LaSota, Esq.,  
Franklin R. Nix, Esq., Georgia Class Member Opt-Outs,  
Appellants in Nos. 03-4275 and 03-4504

Ronald D. Gray; Ozy T. McDaniel; Jerline McDaniel; Tammy and David Wasem;  
Richard and Margaret Harlin; Sylvester and Patricia Watkins; Stephen D. Jensen;  
Joseph E. and Cynthia A. Brownfield; Missouri Class Member Opt-Outs;  
Illinois Class Member Opt-Outs,  
Appellants in No. 03-4732

Michael Lane; Marcos Escalante; Cheryl White-Berry;  
William P. Gorny; Rinaldo Swayne,  
Appellants in No. 03-4837

Franklin R. Nix, Esq.; Georgia Class Member Opt-Outs and Objectors,  
Appellants in No. 03-4862

Marion Deloy Smith,  
Appellant in No. 04-1002

John W. Sharbrough, III, Esq.; The Sharbrough Law Firm;  
Alabama Class Member Opt-Outs  
Appellants in No. 04-1039

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On Appeal from the United States District Court  
for the Western District of Pennsylvania  
(D.C. Nos. 03-cv-00425, 02-cv-01201, 02-cv-01563,  
02-cv-01616, 02-cv-01999, 02-cv-02000)  
District Judge: Honorable Gary L. Lancaster

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Before: SLOVITER, AMBRO, and ALDISERT, Circuit Judges

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the Western District of Pennsylvania and was argued on February 17, 2005

On consideration whereof, it is now here ORDERED AND ADJUDGED by this Court that the Order of the said District Court entered December 4, 2003, be, and the same is, hereby VACATED and REMANDED. Each party to bear its own costs. All of the above in accordance with the opinion of this Court.



ATTEST:

/s/ Marcia M. Waldron  
Clerk

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Dated: August 11, 2005